

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

ERIC GRIFFIN,
PAMELA C. FARNSWORTH,

Plaintiff(s),

vs.

DEPT. OF DEFENCE, DONALD
RUMSFIELD, Secretary of Defence
T.T.C. and CIA,

Defendant(s).

2:07-cv-1266-RLH-RJJ

ORDER

Before this Court is the Report and Recommendation of United States Magistrate Judge (#16, filed March 5, 2008), entered by the Honorable Robert J. Johnston, regarding Plaintiffs' failure to appear at hearings as ordered, and the frivolous nature of the claims. An objection was filed in the form of a Motion to reconsider Courts Order and Grant Plaintiffs Request (#17, filed March 7, 2008), to Magistrate Judge Johnston's Report and Recommendation of United States Magistrate Judge in accordance with Local Rule IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada. The defendants have yet to be served by the Complaint or Plaintiffs' motion. Accordingly, no opposition has been filed to Plaintiffs' motion. The matter was submitted for consideration.

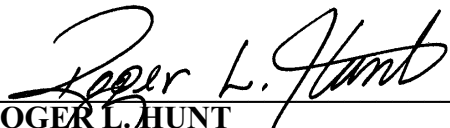
The court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §636(b)(1)(B) and (C) and Local Rule IB 3-2 and has read Plaintiffs' Motion, finding it as frivolous as the Complaint. Accordingly, the Court determines that the Report and

1 Recommendation of Magistrate Judge Johnston should be accepted and adopted.

2 IT IS THEREFORE ORDERED that Magistrate Judge's Report and Recommenda-
3 tion (#16) is AFFIRMED and ADOPTED and this case is DISMISSED with prejudice.

4 IT IS FURTHER ORDERED that Plaintiffs' Motion to Reconsider Courts Order and
5 Grant Plaintiffs' Request (#17) is denied.

6 Dated: March 25, 2008.

7
8 
9 **ROGER L. HUNT**
Chief U.S. District Judge